

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ORIGINAL

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL NO 1456

Civil Action No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO :

Judge Patti Saris

COUNTY OF SUFFOLK V. ABBOTT  
LABORATORIES, INC., ET AL.,  
E.D.N.Y Case No. CV-03-229  
(D.M 03-10643 PBS)

AFFIDAVITS OF SERVICE OF AMENDED SUMMONS AND COMPLAINT

ORIGINAL

AO 440 (Rev. 10/93) Summons in a Civil Action

# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

ASTRAZENECA PHARMACEUTICALS L.P.

TO: (Name and address of defendant)

ASTRAZENECA PHARMACEUTICALS L.P.  
1800 CONCORD PIKE  
WILMINGTON, DE 19850

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MARY ANASTAS

CLERK

*[Signature]*

(BY) DEPUTY CLERK



DATE

9-4-03

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

- - - - -x

COUNTY OF SUFFOLK

Index No. 03 10643 PB

Plaintiff

VS

**AFFIDAVIT OF SERVICE**

ABOTT LABARATORIES, INC., AGOURON  
PHARMACEUTICALS, INC.,  
AMGEN, INC., ASTRAZENECA PHARMACEUTICALS  
L.P., ASTRAZENECA US, AVENTIS BEHRING,  
AVENTIS PHARMACEUTICALS INC., BARR  
LABORATORIES, INC., BAYER AG, BERLEX  
LABORATORIES, INC., BIOGEN, INC., BRISTOL  
-MYERS SQUIBB COMPANY, ELI LILLY AND  
COMPANY, FUJISAWA PHARMACEUTICAL  
COMPANY, LTD., GENETECH, INC., GLAXO  
WELLCOME P.L.C., GLAXOSMITHKLINE PLC,  
IMMUNEX CORPORATION, IVAX  
CORPORATION, IVAX PHARMACEUTICALS INC.,  
JANSSEN PHARMACEUTICAL, JOHNSON &  
JOHNSON, MEDIMMUNE, INC., MERCK & CO.,  
INC., NOVARTIS PHARMACEUTICALS  
CORPORATION, ORTHO BIOTECH, ORTHO  
MCNEIL PHARMACEUTICALS, PFIZER INC.,  
PHARMACIA CORPORATION, PERDUE PHARMA,  
L.P., RELIANT PHARMACEUTICALS,  
SANOFI-SYNTHELABO, INC.,  
SCHERING-PLOUGH CORP.,  
SMITHKLINEBEECHAM P.L.C., TAP  
PHARMACEUTICALS, WARRICK  
PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

- - - - -x

STATE OF ~~DELAWARE~~ )  
DELAWARE ) ss.:  
COUNTY OF NEW CASTLE )

Brian Reeder, being duly sworn deposes and says  
that: deponent is not a party to this action, and is over 18 years of  
age and is a resident of the State of Delaware.

On September, 15, 2003 approximately 1:14 p.m. at  
1800 Concord Pike, Wilmington, Delaware, 19850, deponent served the

within Summons and Complaint upon ASTRAZENECA PHARMACEUTICAL L.P., by delivering to and leaving with (PERSON SERVED) Marianne Casey,

(TITLE) Legal Administrator, a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) Marianne Case stated that She was duly authorized to accept service of legal process for

ASTRAZENECA PHARMACEUTICAL L.P.

(PERSON SERVED) Marianne Casey is described as a White

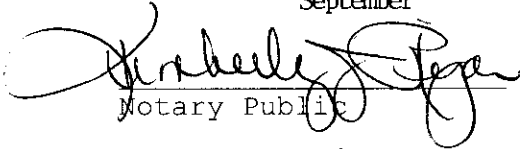
Female, approximately 44 years of age, 150 lbs., 5 '8 " tall, with

Brown hair and (OTHER FEATURE) \_\_\_\_\_

  
\_\_\_\_\_  
(PROCESS SERVER'S SIGNATURE)  
Brian Reeder

Brian Reeder  
\_\_\_\_\_  
(PROCESS SERVER'S NAME)

Sworn to before me this  
16 day of 2003  
September

  
\_\_\_\_\_  
Notary Public

**KIMBERLY J. RYAN**  
**NOTARY PUBLIC-DELAWARE**  
My Commission Expires June 15, 2004

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY

# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

ASTRAZENECA US

TO: (Name and address of defendant)

ASTRAZENECA US  
1800 CONCORD PIKE  
WILMINGTON, DE 19850

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

- - - - -x  
COUNTY OF SUFFOLK

Index No. 03 10643 PB

Plaintiff  
VS

**AFFIDAVIT OF SERVICE**

ABOTT LABARATORIES, INC., AGOURON  
PHARMACEUTICALS, INC.,  
AMGEN, INC., ASTRAZENECA PHARMACEUTICALS  
L.P., ASTRAZENECA US, AVENTIS BEHRING,  
AVENTIS PHARMACEUTICALS INC., BARR  
LABORATORIES, INC., BAYER AG, BERLEX  
LABORATORIES, INC., BIOGEN, INC., BRISTOL  
-MYERS SQUIBB COMPANY, ELI LILLY AND  
COMPANY, FUJISAWA PHARMACEUTICAL  
COMPANY, LTD., GENETECH, INC., GLAXO  
WELLCOME P.L.C., GLAXOSMITHKLINE PLC,  
IMMUNEX CORPORATION, IVAX  
CORPORATION, IVAX PHARMACEUTICALS INC.,  
JANSSEN PHARMACEUTICAL, JOHNSON &  
JOHNSON, MEDIMMUNE, INC., MERCK & CO.,  
INC., NOVARTIS PHARMACEUTICALS  
CORPORATION, ORTHO BIOTECH, ORTHO  
MCNEIL PHARMACEUTICALS, PFIZER INC.,  
PHARMACIA CORPORATION, PERDUE PHARMA,  
L.P., RELIANT PHARMACEUTICALS,  
SANOFI-SYNTHELABO, INC.,  
SCHERING-PLOUGH CORP.,  
SMITHKLINEBEECHAM P.L.C., TAP  
PHARMACEUTICALS, WARRICK  
PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

- - - - -x  
STATE OF ~~DELAWARE~~ )  
                  DELAWARE ) ss.:  
COUNTY OF NEW CASTLE )

Brian Reeder, being duly sworn deposes and says  
that: deponent is not a party to this action, and is over 18 years of  
age and is a resident of the State of Delaware.

On September, 15, 2003 approximately 1:14 p.m. at  
1800 Concord Pike, Wilmington, Delaware, 19850, deponent served the

within Summons and Complaint upon ASTRAZENECA US, by delivering to and leaving with (PERSON SERVED) Marianne Casey,

(TITLE) Legal Administrator, a true and correct copy of said document.

At the time of said service,

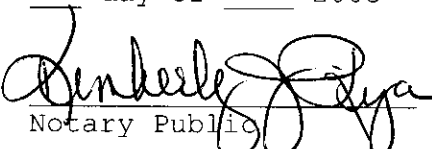
(PERSON SERVED) Marianne Casey stated that she was duly authorized to accept service of legal process for ASTRAZENECA US.

(PERSON SERVED) Marianne Casey is described as a white fe male, approximately 44 years of age, 150 lbs., 5'8" tall, with Brown hair and (OTHER FEATURE) \_\_\_\_\_

  
(PROCESS SERVER'S SIGNATURE)

Brian Reeder  
(PROCESS SERVER'S NAME)

Sworn to before me this  
16 day of September, 2003

  
Notary Public

KIMBERLY J. RYAN

NOTARY PUBLIC-DELAWARE

My Commission Expires June 15, 2004

# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

BARR LABORATORIES, INC.

TO: (Name and address of defendant)

BARR LABORATORIES, INC.  
2 QUAKER ROAD  
BOX 2900  
POMONA, NY 10970-0519

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

-----x  
COUNTY OF SUFFOLK

Index No. 03 10643 PB

Plaintiff

VS

**AFFIDAVIT OF SERVICE**

ABOTT LABORATORIES, INC., AGOURON  
PHARMACEUTICALS, INC.,  
AMGEN, INC., ASTRAZENECA PHARMACEUTICALS  
L.P., ASTRAZENECA US, AVENTIS BEHRING,  
AVENTIS PHARMACEUTICALS INC., BARR  
LABORATORIES, INC., BAYER AG, BERLEX  
LABORATORIES, INC., BIOGEN, INC., BRISTOL  
-MYERS SQUIBB COMPANY, ELI LILLY AND  
COMPANY, FUJISAWA PHARMACEUTICAL  
COMPANY, LTD., GENETECH, INC., GLAXO  
WELLCOME P.L.C., GLAXOSMITHKLINE PLC,  
IMMUNEX CORPORATION, IVAX  
CORPORATION, IVAX PHARMACEUTICALS INC.,  
JANSSEN PHARMACEUTICAL, JOHNSON &  
JOHNSON, MEDIMMUNE, INC., MERCK & CO.,  
INC., NOVARTIS PHARMACEUTICALS  
CORPORATION, ORTHO BIOTECH, ORTHO  
MCNEIL PHARMACEUTICALS, PFIZER INC.,  
PHARMACIA CORPORATION, PERDUE PHARMA,  
L.P., RELIANT PHARMACEUTICALS,  
SANOFI-SYNTHELABO, INC.,  
SCHERING-PLOUGH CORP.,  
SMITHKLINEBEECHAM P.L.C., TAP  
PHARMACEUTICALS, WARRICK  
PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

-----x  
STATE OF New Jersey)  
COUNTY OF Bergen) ss.:

Matt Janulis, being duly sworn deposes and says  
that: deponent is not a party to this action, and is over 18 years of  
age and is a resident of the State of New Jersey.

On Tuesday, Sept 16, 2003 approximately 2:00p.m. at  
400 Chestnut Ridge Road, Woodcliff lake, New Jersey, deponent served

the within Summons and Complaint upon BARR LABORATORIES INC., by  
delivering to and leaving with (PERSON SERVED) Kathy Thomas,  
(TITLE) Admin Asst., a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) Kathy Thomas stated that she was duly  
authorized to accept service of legal process for

Barr Laboratories.

(PERSON SERVED) Kathy Thomas is described as a white  
fe male, approximately 45 years of age, 130 lbs., 5'5" tall, with  
Brown hair and (OTHER FEATURE) \_\_\_\_\_

Matt Janulis #13  
(PROCESS SERVER'S SIGNATURE)

Matt Janulis  
(PROCESS SERVER'S NAME)

Sworn to before me this  
16 day of Sept 2003

Dacien J. Mullen  
Notary Public

DACIEN J. MULLEN  
MY COMMISSION EXPIRES  
JUNE 1, 2006

# United States District Court

DISTRICT \_\_\_\_\_ DISTRICT OF \_\_\_\_\_ MASSACHUSETTS

COUNTY OF SUFFOLK

**A M E N D E D**  
**SUMMONS IN A CIVIL CASE**

**V.**

CASE NUMBER: MDL 1456 (PBS)

BAYER CORPORATION

TO: (Name and address of defendant)

BAYER CORPORATION  
100 BAYER ROAD  
PITTSBURGH, PA 15205-9741

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**TONY ANASTAS**

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03



Summons and Complaint upon BAYER CORPORATION, by delivering to and leaving with (PERSON SERVED) Bill Dodero,

(TITLE) Legal department, a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) Bill Dodero stated that he was duly authorized to accept service of legal process for

Bayer Corporation

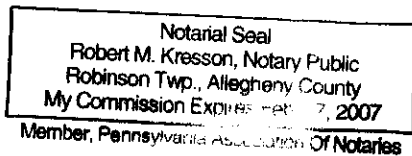
(PERSON SERVED) Bill Dodero is described as a white male, approximately 35 years of age, 160 lbs., 5'8" tall, with Black hair and (OTHER FEATURE) Blue eyes

Earl English  
(PROCESS SERVER'S SIGNATURE)

EARL ENGLISH  
(PROCESS SERVER'S NAME)

Sworn to before me this  
16 day of Sept 2003

[Signature]  
Notary Public



# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

IVAX PHARMACEUTICALS, INC.

TO: (Name and address of defendant)

IVAX PHARMACEUTICALS, INC.  
4400 Biscayne Blvd.  
Miami, FL 33137

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

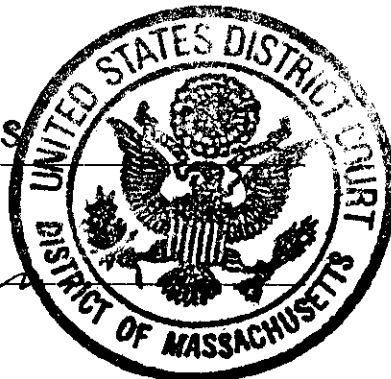
JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03



Summons and Complaint upon IVAX PHARMACEUTICAL, by delivering to and leaving with (PERSON SERVED) AMY JUARTE,

(TITLE) PARALEGAL, a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) AMY JUARTE stated that she was duly authorized to accept service of legal process for

IVAX PHARMACEUTICAL

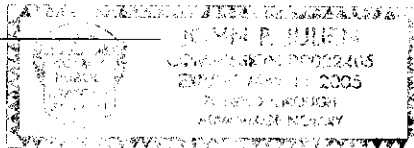
(PERSON SERVED) AMY JUARTE is described as a WHITE/LATIN female, approximately 58 years of age, 125 lbs., 5' 0" tall, with RED hair and (OTHER FEATURE) WEARS GLASSES

James R. Berry Jr  
(PROCESS SERVER'S SIGNATURE)

JAMES R. BERRY JR  
(PROCESS SERVER'S NAME)

Sworn to before me this  
17 day of 9 2003

[Signature]  
Notary Public





# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

A M E N D E D

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

IVAX CORPORATION

TO: (Name and address of defendant)

IVAX CORPORATION  
4400 BISCAYNE BLVD.  
MIAMI, FL 33137

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03



Summons and Complaint upon IVAX CORPORATION, by delivering to and leaving with (PERSON SERVED) AMY JUARTE,

(TITLE) PARALEGAL, a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) AMY JUARTE stated that he was duly authorized to accept service of legal process for

IVAX CORPORATION.

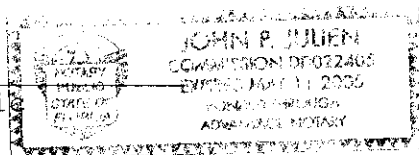
(PERSON SERVED) AMY JUARTE is described as a WHITE/LATIN female, approximately 58 years of age, 125 lbs., 5'0" tall, with RED hair and (OTHER FEATURE) WEARS GLASSES

James R. Berry Jr  
(PROCESS SERVER'S SIGNATURE)

JAMES R. BERRY JR  
(PROCESS SERVER'S NAME)

Sworn to before me this  
17 day of 9 2003

[Signature]  
Notary Public



# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

FUJISAWA HEALTHCARE, INC.

TO: (Name and address of defendant)

FUJISAWA HEALTHCARE, INC.  
THREE PARKWAY NORTH  
DEERFIELD, IL 60015

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



9-4-03

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

---

COUNTY OF SUFFOLK,

Plaintiff,

v.

**AFFIDAVIT OF SERVICE**

ABBOTT LABORATORIES, INC., et. al.,

Defendants.

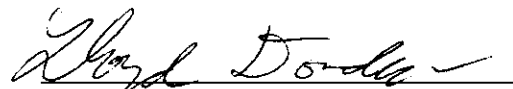
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STATE OF NEW YORK     )  
                                      )     ss.:  
COUNTY OF NEW YORK    )


LLOYD DONDEERS, being duly sworn, deposes and says:

I am not a party to the above-entitled action, am over 18 years of age and reside in the county of Westchester, State of New York.

That on September 17, 2003, I served a true and correct copy of the AMENDED COMPLAINT in the above-entitled action by First Class U.S. Mail upon Reed Smith, LLP pursuant to a conversation I had with Andrew Hurst, Esq. A copy of the memorialized conversation, in which Mr. Hurst agreed to accept service on behalf of their client, Fujisawa Healthcare, Inc. is attached.

  
Lloyd M. Donders  
Kirby McInerney & Squire LLP  
830 Third Avenue, 10<sup>th</sup> Floor  
New York, NY 10022

Sworn to before me this  
4<sup>th</sup> day of November, 2003

  
Notary Public  
Maria Ramirez  
Notary Public, State of New York  
No. 01RA4740575  
Appointed in Bronx County  
My Commission expires 6/30/2005

KIRBY MCINERNEY & SQUIRE, LLP

TELEPHONE (212) 371-6600  
(212) 317-2300  
FACSIMILE (212) 751-2540

830 Third Avenue  
New York City 10022

IRVING MALCHMAN, OF COUNSEL

VIA FEDERAL EXPRESS

September 17, 2003

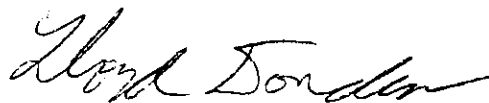
Andrew Hurst, Esq.  
Reed Smith, LLP  
1301 K Street, N.W.  
Washington, DC 20005

Re: County of Suffolk v. Abbott Labs, et al. (Our file no. 549.01)

Dear Andrew:

I write to memorialize our conversation yesterday. Thank you for agreeing to accept service of the amended complaint in the above matter on behalf of your client Fujisawa Healthcare, Inc. A copy is enclosed. Also enclosed is a copy of our notice of correction, filed September 17, 2003, which correctly identifies Fujisawa Healthcare, Inc. in the caption.

Sincerely,



Lloyd Donders

Enclosures

cc: Joanne M. Cicala, Esq.

# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

NOVARTIS PHARMACEUTICALS  
CORPORATION

TO: (Name and address of defendant)

NOVARTIS PHARMACEUTICALS CORPORATION  
ONE HEALTH PLAZA  
EAST HANOVER, NJ 07936-1080

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

- - - - -x  
COUNTY OF SUFFOLK

Index No. 03 10643 PB

Plaintiff  
VS

**AFFIDAVIT OF SERVICE**

ABOTT LABORATORIES, INC., AGOURON  
PHARMACEUTICALS, INC.,  
AMGEN, INC., ASTRAZENECA PHARMACEUTICALS  
L.P., ASTRAZENECA US, AVENTIS BEHRING,  
AVENTIS PHARMACEUTICALS INC., BARR  
LABORATORIES, INC., BAYER AG, BERLEX  
LABORATORIES, INC., BIOGEN, INC., BRISTOL  
-MYERS SQUIBB COMPANY, ELI LILLY AND  
COMPANY, FUJISAWA PHARMACEUTICAL  
COMPANY, LTD., GENETECH, INC., GLAXO  
WELLCOME P.L.C., GLAXOSMITHKLINE PLC,  
IMMUNEX CORPORATION, IVAX  
CORPORATION, IVAX PHARMACEUTICALS INC.,  
JANSSEN PHARMACEUTICAL, JOHNSON &  
JOHNSON, MEDIMMUNE, INC., MERCK & CO.,  
INC., NOVARTIS PHARMACEUTICALS  
CORPORATION, ORTHO BIOTECH, ORTHO  
MCNEIL PHARMACEUTICALS, PFIZER INC.,  
PHARMACIA CORPORATION, PERDUE PHARMA,  
L.P., RELIANT PHARMACEUTICALS,  
SANOFI-SYNTHELABO, INC.,  
SCHERING-PLOUGH CORP.,  
SMITHKLINEBEECHAM P.L.C., TAP  
PHARMACEUTICALS, WARRICK  
PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

- - - - -x  
STATE OF New Jersey ss.:  
COUNTY OF Morris Co.

Matt Janulis, being duly sworn deposes and says  
that: deponent is not a party to this action, and is over 18 years of  
age and is a resident of the State of New Jersey.

On Tuesday, Sept 16, 2003 approximately 4:05p.m. at  
1 Health Plaza, East Hanover, NJ., 07936, deponent served the within



Summons and Complaint upon NOVARTIS PHARMACEUTICALS INC., by

delivering to and leaving with (PERSON SERVED) Conna Weiner,

(TITLE) Legal Dept Sec., a true and correct copy of said document.

At the time of said service,

(PERSON SERVED) Conna Weiner stated that She was duly authorized to accept service of legal process for

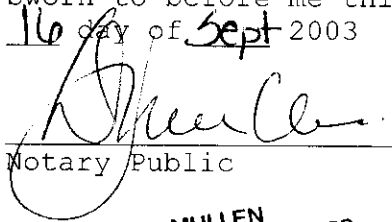
Novartis Pharmaceuticals

(PERSON SERVED) Conna Weiner is described as a white female, approximately 51 years of age, 123 lbs., 5'6" tall, with Brown hair and (OTHER FEATURE) Brown Eyes.

  
(PROCESS SERVER'S SIGNATURE)

Matt Sanulis  
(PROCESS SERVER'S NAME)

Sworn to before me this  
16 day of Sept 2003

  
Notary Public

DACIEN J. MULLEN  
MY COMMISSION EXPIRES  
JUNE 1, 2008

# United States District Court

DISTRICT

DISTRICT OF

MASSACHUSETTS

COUNTY OF SUFFOLK

AMENDED

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: MDL 1456 (PBS)

SANOFI-SYNTHELABO, INC.

TO: (Name and address of defendant)

SANOFI-SYNTHELABO, INC.  
ONE WALL STREET  
NEW YORK, NY 10286

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ.  
KIRBY MCINERNEY & SQUIRE, LLP  
830 THIRD AVENUE  
NEW YORK, NY 10022  
(212) 371-6600

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANAST

CLERK

(BY) DEPUTY CLERK



DATE

9-4-03

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

COUNTY OF SUFFOLK,

Plaintiff,

v.

IMUNEX, GLAXO WELLCOME, ORTHO  
BIOTECH, AVENTIS BEHRING, AVENTIS  
P HARMACEUTICALS INC., TAP  
PHARMACEUTICALS, WARRICK  
PHARMACEUTICALS, RELIANT PHARM,  
and JOHNSON & JOHNSON, MASTERS,  
INC., BENEFICIAL FRANCHISE  
COMPANY, INC., H&R BLOCK, INC.,  
H&R BLOCK SERVICES, INC., H&R  
BLOCK TAX SERVICES, INC., H&R  
BLOCK EASTERN TAX SERVICES, INC.,  
BLOCK FINANCIAL CORP. and HRB  
ROYALTY, INC.

Defendants.

Case No. MDL 1456 (PBS)

03-10643 PB

**AFFIDAVITS OF SERVICE**

**AFFIDAVIT OF SERVICE**

Ricardo Wright, being duly sworn, says:

Deponent is not a party to the action, is over the age of 18 years, is a resident of Brooklyn, New York.


On, September 12, 2003, deponent served the within Amended Summons and Amended Complaint upon:

**Sanofi-Synthelabo Inc.**  
90 Park Avenue  
7th Floor (Reception Area)  
New York, NY 10016

By delivering a true copy thereof personally to the above-named firm and leaving same with Mr. G. Ferdinand, the mail-room manager for Sanofi-Synthelabo, Inc., who stated that he was authorized to accept same.

  
RICARDO WRIGHT

Sworn to before me this  
1<sup>st</sup> day of October, 2003

  
Notary Public  
ILEANA RAMIREZ  
Notary Public, State of New York  
No. 01RA4740575  
Appointed in Bronx County  
My Commission expires 8/21/2005